

**DICKSTEINSHAPIRO LLP**

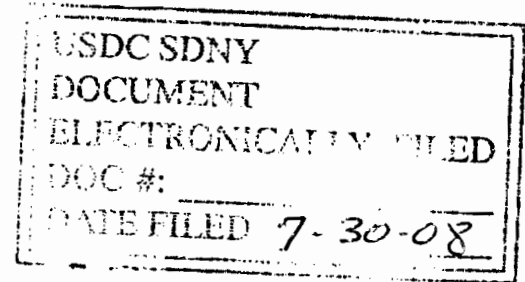
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July 28, 2008

VIA FACSIMILE

The Honorable Jed S. Rakoff  
United States District Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl St., Room 1340  
New York, NY 10007



**Re: *Petroterminal de Panama, S.A. v. Houston Casualty Co., et al.*,  
08 CV 00547 (JSR)**

Dear Judge Rakoff:

This firm represents the plaintiff, Petroterminal de Panama, S.A. ("PTP's"), in the above-entitled action. I write to memorialize a petition that we presented to the Court, by way of a telephone conference with Ms. Geanuleas earlier today. Mr. Kotula, counsel for the defendant insurance companies, also participated in that call.

In May of 2008, the parties stipulated to PTP's proposal to dismiss certain claims without prejudice, in accordance with terms set out in the stipulation. The Court "so ordered" the stipulation, giving PTP leave to file an amended complaint that reflected the paring-down of the action. (A copy of the Stipulation and Order is annexed.) Regrettably (and ironically), PTP neglected to file the amended complaint by the date provided for by the Order that we had, ourselves prepared; and the Clerk of Court therefore refused to accept the Amended Complaint when we attempted to file it (after recognizing our oversight).

In the course of our telephone conference today, Mr. Kotula confirmed that the defendants do not object to PTP's filing the Amended Complaint (which of course redounds to defendants' benefit); and Ms. Geanuleas conferred with your Honor, and confirmed that the Court has no objection. We determined, in conference with Ms. Geanuleas, that your Honor's endorsement of a letter from counsel would probably be the most expeditious way to convey the Court's acquiescence to the Clerk; and this letter has been prepared for that purpose.

*Upon these representations above, the Clerk is directed to permit the filing of the Amended Complaint. SO ORDERED*

*[Signature]*  
USDC 7-29-08

**DICKSTEINSHAPIRO<sub>LLP</sub>**

The Honorable Jed S. Rakoff  
July 28, 2008  
Page 2

We regret our oversight, and apologize for this imposition on the Court's time.

Respectfully submitted,

  
Stephen A. Dvorkin

Attachment

cc: Michael Kotula, Esq. (via facsimile)  
Rivkin, Radler, et al.